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Notice of Public Workshop on Mercury Thermostat Collection Rate Requirements

The Department of Toxic Substances Control (DTSC) invites you to participate in a public workshop to discuss proposed regulations developed to implement the Mercury Thermostat Collection Act of 2008. This workshop offers the opportunity for public input on the scope and content of the proposed methodology to calculate the number of mercury-added thermostats that become waste annually, and on the proposed performance requirements specified in the proposed regulations. DTSC wants to solicit your comments and suggestions before releasing a public notice on the draft regulations to the regulated community. Further workshops may be held if they are necessary to ensure the best proposal is considered for formal adoption. This workshop will be held at the following time and location:

Date: Friday June 10, 2011

Time: 9:00 AM to 12:00 PM (Time may be extended or shortened based on participation)

**Location: Joe Serna Cal/EPA Building
Byron Sher Auditorium, 2nd Floor
1001 "I" Street
Sacramento, CA 95814
Phone: (916) 551-1313**

Note: Visitors must check in with the Visitor and Environmental Services Center upon entering the Cal/EPA building.

At this workshop, a DTSC representative will summarize the proposed regulations and describe the rationale used to develop the regulations. After this short presentation, DTSC will solicit comments and suggestions from participants. The draft regulatory language will be available on the DTSC website at http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/Mercury_Therm_Recovery_Reg.cfm and at the workshop. You can also contact DTSC at the number listed below to receive a copy by mail.

Background of the proposal: Health and Safety Code (H&SC) Chapter 6.5, article 10.2.2, section 25214.8.10-25214.8.20 mandates that manufacturers are required to develop and implement a collection program for out-of-service mercury-added thermostats that become waste. DTSC is mandated by the statute to adopt regulations on or before January 1, 2012, that establish a methodology for calculating the number of out-of-service mercury-added thermostats that become waste annually, and to develop a percentage rate of those thermostats that must be collected by manufacturers. The proposed regulations establish both the methodology and the collection rate. In addition, the proposed regulations establish a requirement on all California licensed heating, ventilation, and air conditioning (HVAC) contractors and demolition contractors to submit annual electronic reports to DTSC describing their disposal activity.

Remote viewing: This workshop will be webcast in both audio and video. To view or listen to the webcast, go to the Cal/EPA website at <http://www.calepa.ca.gov/>. Under Quick Links at the left margin, click on Webcasts. Make sure the pull-down menu reads Current Broadcasts. Scroll down until you find Workshop on Mercury Thermostat Collection Requirements, and select either audio or video. Prior to the workshop, you should test your audio and video connections by clicking on Test Your Connection at the top of the web page.

How to comment: All interested parties are encouraged to review the text and to provide comments prior to the workshop. You can e-mail your comments prior to the workshop to thermostats@dtsc.ca.gov. Also, you can e-mail your comments/questions while the workshop is in progress. Use auditorium@calepa.ca.gov. DTSC will accept comments for 2 weeks after the workshop. Additionally, DTSC has established a listserv for all activities associated with this proposed rulemaking. For information on how to subscribe to this listserv, please see the information at <http://www.calepa.ca.gov/Listservs/DTSC/>. The listserv for this regulation is titled **DTSC: Mercury Thermostat Collection Rate Requirements: R-2010-3**. The final regulatory language will be developed after DTSC has considered all of the input received. DTSC encourages your participation in this workshop so that your issues and concerns can be identified early in the process. Please visit the DTSC website for progress updates and information on future public workshops.

If you have any questions regarding this proposed public workshop or future outreach meetings, please contact Mr. Ed Benelli at (916) 445-2959 or ebenelli@dtsc.ca.gov. This workshop and all future workshops are accessible to all persons with disabilities. If you have special accommodation needs or have special language needs, please contact Adrian Recio, Reasonable Accommodation Coordinator, at (916) 324-3095 or arecio@dtsc.ca.gov no later than May 25, 2011, to ensure that the necessary arrangements can be made. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.